

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

HERMAN M. JERROD,)	
)	
Plaintiff,)	
)	
v.)	No. 4:19-cv-03131-AGF
)	
ZACHARY PHILLIPS, et al.,)	
)	
)	
Defendants.)	

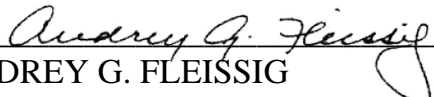
MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's motion to appoint counsel, (Doc. No. 21), and Plaintiff's second motion for appointment of counsel. (Doc. No. 25). There is no constitutional right for a pro se plaintiff to have counsel appointed in a civil case, although the Court has discretion to appoint counsel when necessary. *Chambers v. Pennycook*, 641 F.3d 898, 909 (8th Cir. 2011); *Phillips v. Jasper County Jail*, 437 F.3d. 791, 794 (8th Cir. 2006). Among the factors a court should consider in making this determination are the factual and legal complexity of the case, the ability of the plaintiff to present the facts and his claims, and the degree to which the plaintiff and the court would benefit from such an appointment. *Phillips*, 437 F.3d. at 794. This Court previously concluded that Plaintiff demonstrated he could adequately present his claims to the Court and neither the factual nor legal issues in this case are unduly complex. (Doc. No. 10). Upon review of the record thus far and the relevant factors, the Court

finds that appointment of counsel is still unnecessary at this time.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motions for appointment of counsel are **DENIED without prejudice**. (Doc. Nos. 21 & 25.)



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 29th day of January, 2021.